

AMENDMENT TO THE CLAIMS

The listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

Claims 1-160 cancelled.

161. (Currently amended) Zolpidem hemitartrate Form D, characterized by an X-ray powder diffraction pattern having peaks at about 7.1, 9.5, 14.1, 19.6 and 24.5 ± 0.2 degrees two-theta.

162. (Currently amended) ~~A~~ The zolpidem hemitartrate of claim 161, further characterized by an X-ray powder diffraction pattern having peaks at about 8.4, 10.2, 12.2, 12.9, 13.2, 15.9, 16.3, 17.7, 18.8, 21.0, 21.7, 23.0, 23.6, 25.9, 26.5, 30.0, and 30.6 ± 0.2 degrees two-theta.

163. (Currently amended) The zolpidem hemitartrate of claim 161, wherein the zolpidem hemitartrate is in the form of particles and the ~~having~~ particles have a size up to about 200 microns ~~in size~~, as measured by laser diffraction.

164. (Currently amended) The zolpidem hemitartrate of claim 161, wherein the zolpidem hemitartrate is in the form of particles and the ~~having~~ particles have a size up to about 50 microns ~~in size~~, as measured by laser diffraction.

165. (Previously presented) A pharmaceutical composition comprising a therapeutically effective amount of the zolpidem hemitartrate of claim 161, wherein the zolpidem hemitartrate is in the form of particles, and a pharmaceutically acceptable carrier.

166. (Previously presented) A method for treating a patient suffering from insomnia by administering a therapeutically effective amount of the zolpidem hemitartrate of claim 161.

Claims 167-260 cancelled.

261. (Previously presented) The zolpidem hemitartrate of claim 161, further characterized by an X-ray diffraction pattern substantially as depicted in Figure 5.

262. (Previously presented) The zolpidem hemitartrate of claim ~~161~~ 162, further characterized by a DTG thermogram substantially as depicted in Figure 6.

263. Cancelled.

264. (Currently amended) The zolpidem hemitartrate ~~hydrate~~ of claim ~~161~~ 263, wherein the zolpidem hemitartrate ~~hydrate~~ is a monohydrate.

265. (Currently amended) The monohydrate of claim ~~264~~ 263, wherein the monohydrate ~~has a~~ water content is from about 2.3 % to about 2.7 % by weight.

266. (Currently amended) The monohydrate of claim ~~264~~ 263, wherein the zolpidem hemitartrate monohydrate is in the form of particles and the particles have ~~having~~ a size of up to about 200 microns, as measured by laser diffraction.

267. (Currently amended) The monohydrate of claim ~~264~~ 266, wherein the zolpidem hemitartrate monohydrate is in the form of particles and the particles have ~~having~~ a size of up to about 50 microns, as measured by laser diffraction.

268. Cancelled.

269. (Currently amended) The ~~solvate~~ zolpidem hemitartrate of claim ~~161~~ 268, wherein the zolpidem hemitartrate is a hemiethanolate.

270. Cancelled.

271. (Currently amended) The ~~solvate~~ zolpidem hemitartrate of claim ~~269~~ 268, wherein the zolpidem hemitartrate hemiethanolate ~~solvate~~ is in the form of particles and the particles have ~~having~~ a size of up to about 200 microns, as measured by laser diffraction.

272. (Currently amended) The solvate zolpidem hemitartrate of claim 269 ~~271~~, wherein the zolpidem hemitartrate hemiethanolate solvate is in the form of particles and the particles have having a size of up to about 50 microns, as measured by laser diffraction.

273. (Currently amended) A pharmaceutical composition comprising a therapeutically effective amount of zolpidem hemitartrate of claim 264 ~~263~~, wherein the zolpidem hemitartrate monohydrate is in the form of particles and the particles have having a size of up to about 200 microns, as measured by laser diffraction, and a pharmaceutically acceptable carrier.

274. (Previously presented) The pharmaceutical composition of claim 273, wherein the particles have a size of up to about 50 microns.

275. (Currently amended) A pharmaceutical composition comprising a therapeutically effective amount of zolpidem hemitartrate of claim 269 ~~268~~, wherein the zolpidem hemitartrate hemiethanolate solvate is in the form of particles having a size of up to about 200 microns, as measured by laser diffraction, and a pharmaceutically acceptable carrier.

276. (Previously presented) The pharmaceutical composition of claim 275, wherein the particles have a size of up to about 50 microns.

277. (Currently amended) The pharmaceutical composition of claim 165, wherein the particles have a size of up to about 200 microns, as measured by laser diffraction.

278. (Currently amended) The pharmaceutical composition of claim 165, wherein the particles have a size of up to about 50 microns, as measured by laser diffraction.

279. (Previously presented) A method for preparing a pharmaceutical composition comprising combining a therapeutically effective amount of the zolpidem hemitartrate of claim 161 and a pharmaceutically acceptable carrier.